



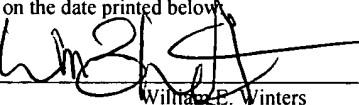
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Paul A. Nysen  
APPLICATION NO.: 10/646,139  
FILING DATE: August 20, 2003  
TITLE: Surface Acoustic Wave Modulator  
EXAMINER: Karen B. Addison  
ART UNIT: 2834

### CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date printed below.

Date: 11/2/2006 Name: Wm E. Winters  
  
William E. Winters

Commissioner for Patents  
P. O. BOX 1450  
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### **CHANGE OF ATTORNEY DOCKET NUMBER AND** **CHANGE OF CORRESPONDENCE ADDRESS**

Please change the **Attorney Docket No.** for this patent application from

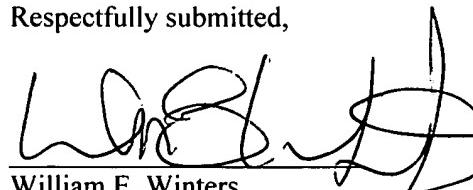
035826-000026 to **90-026US**.

Please address all further communications regarding this patent application to:

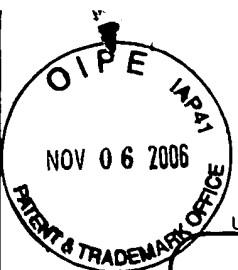
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Respectfully submitted,



William E. Winters  
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PTO/SB/82 (01-06)

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**REVOCATION OF POWER OF  
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AND  
CHANGE OF CORRESPONDENCE ADDRESS**

Application Number	10/646,139
Filing Date	August 20, 2003
First Named Inventor	Paul A. Nysen
Art Unit	2834
Examiner Name	Karen B. Addison
Attorney Docket Number	90-026US

I hereby revoke all previous powers of attorney given in the above-identified application.

A Power of Attorney is submitted herewith.

OR

I hereby appoint the practitioners associated with the Customer Number: 00063409

Please change the correspondence address for the above-identified application to:

The address associated with  
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OR

<input type="checkbox"/> Firm or Individual Name			
Address			
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Country			
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I am the:

- Applicant/Inventor.  
 Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Signature			
Name	Keith L. Cocita		
Date	10/22/06	Telephone	(408) 281-6612

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

\*Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: X-Cyte, Inc.Application No./Patent No.: 10/646,139 Filed/Issue Date: August 20, 2003

Entitled: Surface Acoustic Wave Modulator

X-Cyte, Inc., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 8777, Frame 0240, or for which a copy thereof is attached.

OR

B  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

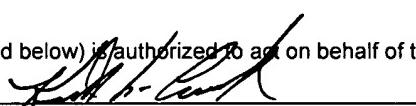
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The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
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Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
SignatureKeith L. Cocita

Printed or Typed Name

  
Date

(408) 281-6612

Telephone Number

President

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.